THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16544 of 2007

Dated:06.08.2007

Between:

M.Mutyala Rao.

…PETITIONER

and

State of Andhra Pradesh, rep.by its District Collector, Medak, and another.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16544 of 2007

ORDER:

The petitioner purchased land admeasuring Acs.4.00 in survey Nos.342/33 to 35 situated at Muppireddypalli Vilage, Toopran Mandal, Medak District, under a registered sale deed dated 06.11.2002. He got the revenue entries mutated in his name and also obtained pattadar passbooks/title deeds under the provisions of the Andhra Pradesh Rights in Land & Pattadar Pass Books Act, 1971 (the Act, for brevity). He alleges that in first week of July, 2007, when he visited the office of the Tahsildar, second respondent herein, he was allegedly informed that the land in his possession is Government land and the same is being acquired for automobile park. He then brought to the notice of second respondent all the documents under which he is claiming title and possession. In spite of the same, it is alleged that on 24.07.2007, second respondent tried to disturb the possession of the petitioner. Therefore, he filed instant writ petition.

This Court has heard the learned counsel for the petitioner.

A perusal of paragraph 5 of the affidavit accompanying the writ petition, which discloses the cause of action, would not inspire any confidence of the Court. The allegations are vague and do not warrant serious consideration. Even according to the petitioner, he was informed that the land would be acquired. If that be so, the petitioner

has to await necessary proceedings under the Land Acquisition Act, 1894. Be it observed that if the petitioner is in possession of the land, he cannot be evicted without due process of law.

The writ petition, with the above observations, is accordingly dismissed. No costs. I

(V.V.S.RAO, J)

06th August, 2007
ghn